

3/26/01
U.S. PTO

3-28-01

K

Please type a plus sign (+) inside this box [+]

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

JC978 U.S.P.T.O.
09/018175
03/26/01

03/26/01

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 04259P013X
(maximum 12 characters)

First Named Inventor Steve Perlman

Title: Apparatus and Method for Selecting Data

Express Mail Label No. EL6171804027US

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant Claims Small Entity Status. (37 CFR 1.27)
3. Specification (Total Pages 24)
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table,
or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawings(s) (35 USC 113) (Total Sheets 9)
5. Oath or Declaration (Total Pages 4)
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 17 completed)
 - i. DELETIONS OF INVENTOR(S) Signed statement attached deleting
inventor(s) named in the prior application, see 37 CFR 1.63(d)(2)
and 1.33(b).
 - c. Unsigned.
6. Application Data Sheet. (37 CFR 1.76)
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. **Assignment Papers (cover sheet & documents(s))**
10. a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
- b. Power of Attorney
11. English Translation Document (if applicable)
12. a. Information Disclosure Statement (IDS)/PTO-1449
- b. Copies of IDS Citations
13. **Preliminary Amendment**
14. **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
17. Other: Certificate of Express Mail with copy of postcard showing contents of Express Mail package.

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP)
Of Prior Application No.: 09/791,474 Examiner unknown Group Art Unit unknown
(which is a continuation/ divisional/ CIP of prior application no. _____,
which is a continuation/ divisional/ CIP of prior application no. _____) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.

For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that _____ (name of assignee) is
the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an
assignment recorded in the Patent and Trademark Office at Reel. No. _____ Frame No. _____
(or a copy of which is attached).

19. Correspondence Address

Customer Number or Bar Code Label _____
or _____ (Insert Customer No. or Attach Bar Code Label here)
 Correspondence Address Below

NAME Thomas C. Webster
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard
Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-9397

Name (PRINT/TYPE): Thomas C. Webster Registration No. 46,154
Signature: Thomas Webster Date: 3/26/01

FEE TRANSMITTAL FOR FY 2001TOTAL AMOUNT OF PAYMENT (\$) 890.00

Complete if Known:

Application No. Unknown
 Filing Date Herewith
 First Named Inventor Steve Perlman
 Group Art Unit Unknown
 Examiner Name Unknown
 Attorney Docket No. 04259P013X

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
 Deposit Account Name _____

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed: Check
 Credit Card
 Money Order
 Other

FEE CALCULATION**1. BASIC FILING FEE**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code (\$)	
101	710	201	Utility application filing fee
106	320	206	Design application filing fee
107	490	207	Plant filing fee
108	710	208	Reissue filing fee
114	150	214	Provisional application filing fee
SUBTOTAL (1)			\$ 710.00

2. EXTRA CLAIM FEES

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims	<u>30</u>	<u>- 20** = 10</u>	<u>X 18.00 = 180.00</u>
Independent Claims	<u>3</u>	<u>- 3** = 0</u>	<u>X 80.00 = 00.00</u>
Multiple Dependent			<u>=</u>

**Or number previously paid, if greater; For Reissues, see below.

Large Entity Small Entity

<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee Description</u>
Code	(<u>\$</u>)	Code	(<u>\$</u>)	
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)			\$ 180.00	

FEE CALCULATION (continued)
3. ADDITIONAL FEES

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code 105	Fee (\$) 130	Fee Code 205 65	Surcharge - late filing fee or oath
127	50	227 25	Surcharge - late provisional filing fee or cover sheet
139	130	139 130	Non-English specification
147	2,520	147 2,520	For filing a request for ex parte reexamination
112	920*	112 920*	Requesting publication of SIR prior to Examiner action
113	1,840*	113 1,840*	Requesting publication of SIR after Examiner action
115	110	215 55	Extension for reply within first month
116	390	216 195	Extension for reply within second month
117	890	217 445	Extension for reply within third month
118	1,390	218 695	Extension for reply within fourth month
128	1,890	228 945	Extension for reply within fifth month
119	310	219 155	Notice of Appeal
120	310	220 155	Filing a brief in support of an appeal
121	270	221 135	Request for oral hearing
138	1,510	138 1,510	Petition to institute a public use proceeding
140	110	240 55	Petition to revive – unavoidable
141	1,240	241 620	Petition to revive - unintentional
142	1,240	242 620	Utility issue fee (or reissue)
143	440	243 220	Design issue fee
144	600	244 300	Plant issue fee
122	130	122 130	Petitions to the Commissioner
123	50	123 50	Processing fee under 37 CFR 1.17(q)
126	180	126 180	Submission of Information Disclosure Stmt
581	40	581 40	Recording each patent assignment per property (times number of properties)
146	710	246 355	For filing a submission after final rejection (see 37 CFR 1.129(a))
149	710	249 355	For each additional invention to be examined (see 37 CFR 1.129(b))
179	710	279 355	Request for Continued Examination (RCE)
169	900	169 900	Request for expedited examination of a design application
195	300	195 300	Publication fee for early, voluntary, or normal publication
196	300	196 300	Publication fee for republication
194	130	194 130	Request for voluntary publication or republication
098	130	098 130	Processing fee under 37 CFR 1.17(i)
091	1,240	091 1,240	Acceptance of unintentionally delayed claim for priority

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 0.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Thomas C. Webster

Signature:  Date: 3/26/01

Reg. Number: 46,154 Telephone Number: (408) 720-8300

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

U.S.P.T.O.
JC97 09/26/01
EL617180427US

"Express Mail" mailing label number: EL617180427US
Date of Deposit: March 26, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Janece Shannon
(Typed or printed name of person mailing paper or fee)
Janece Shannon
(Signature of person mailing paper or fee)
3/26/01
(Date signed)

Serial/Patent No.: *** Filing/Issue Date: Herewith
Client: Rearden Steel
Title: Apparatus And Method For Selecting Data

BSTZ File No.: 04259P013X Atty/Secty Initials: EHT/TCW/js
Date Mailed: 3/26/01 Docket Due Date: ***

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | | |
|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> Amendment/Response (____ pgs.) | <input checked="" type="checkbox"/> Express Mail No: <u>EL617180427US</u> | <input checked="" type="checkbox"/> Check No. <u>41710</u> |
| <input type="checkbox"/> Appeal Brief (____ pgs) (in triplicate) | <input type="checkbox"/> _____ Month(s) Extension of Time | Amt: <u>890.00</u> |
| <input type="checkbox"/> Application - Utility (____ pgs, with cover and abstract) | <input type="checkbox"/> Information Disclosure Statement & PTO-149 (____ pgs.) | <input type="checkbox"/> Check No. _____ |
| <input type="checkbox"/> Application - Rule 153(b) Continuation (____ pgs.) | <input type="checkbox"/> Issue Fee Transmittal* | Amt: _____ |
| <input type="checkbox"/> Application - Rule 153(b) Divisional (____ pgs.) | <input type="checkbox"/> Notice of Appeal | |
| <input checked="" type="checkbox"/> Application - Rule 153(b) CIP (____ pgs.) | <input type="checkbox"/> Petition for Extension of Time | |
| <input type="checkbox"/> Application - Rule 153(d) CPA Transmittal (____ pgs.) | <input type="checkbox"/> Petition for _____ | |
| <input type="checkbox"/> Application - Design (____ pgs.) | <input checked="" type="checkbox"/> Postcard | |
| <input type="checkbox"/> Application - PCT (____ pgs.) | <input type="checkbox"/> Power of Attorney (____ pgs.) | |
| <input type="checkbox"/> Application - Provisional (____ pgs.) | <input type="checkbox"/> Preliminary Amendment (____ pgs.) | |
| <input type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Reply Brief (____ pgs.) | |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice of Missing Parts | |
| <input checked="" type="checkbox"/> Declaration & POA (____ pgs) (unsigned) | <input type="checkbox"/> Small Entity Declaration for Indep Inventor/Small Business | |
| <input type="checkbox"/> Disclosure Docs & Org & Cpy of Invencto Signed Letter (____ pgs) | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate | |
| <input type="checkbox"/> Drawings <u>9</u> # of sheets includes <u>8</u> figures | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate | |

- Other Certificate of Express Mail with copy of postcard showing contents of Express Mail package.